

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DENNIS ALLEN, et al.	:	Case No. C-1-01-159
Plaintiffs	:	Judge Herman S. Weber
		Magistrate Judge Timothy S. Hogan
	:	
vs.	:	
	:	
THE LASSEN COMPANIES, INC., et al.:		
	:	
Defendants	:	

**PLAINTIFFS' MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO OBJECTIONS TO THE REPORT AND
RECOMMENDATION OF MAGISTRATE JUDGE HOGAN ON DEFENDANT CRARY'S
MOTION FOR SUMMARY JUDGMENT**

* * * *

Plaintiffs, Dennis Allen, et al. ("Plaintiffs"), hereby move this Court for an extension of time to file a Motion to Review the Report and Recommendation of Magistrate Judge Hogan in the above entitled action. The Response is currently is due on November 15. Plaintiffs respectfully request an extension of one (1) week, up until Monday, November 22, 2004, to file its Memorandum in Opposition to Defendant Crary's Objections to the Magistrate's Report and Recommendation on Crary's motion for summary judgment. This request is necessitated by the press of business, including preparation and filing of an appellant's brief in the United States Court of Appeals for the Sixth Circuit, due today, among other matters.

A proposed Order is tendered herewith.

Respectfully submitted,

s/David M. Cook

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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Stephen R. Felson, 617 Vine Street, Suite 1401, Cincinnati, Ohio 45202, Trial Attorney For Defendant Crary, Paul D. Marotta, The Corporate Law Group, 500 Airport Blvd., Suite 120, Burlingame, CA 94010, Of Counsel for Defendant Crary, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: Leonard Kristal, 107 Diablo Drive, Kentfield, CA 94904.

s/ David M. Cook

ATTORNEY FOR PLAINTIFFS